

App. No. 09/939,162
Amendment Dated November 15, 2004
Reply to Office Action of October 6, 2004

REMARKS/ARGUMENTS

The foregoing is a formal request for reconsideration of the above claims in light of the Examiner interview conduction on November 9, 2004. The foregoing also reiterates applicants' position during the Examiner interview. As more fully set forth below, applicants believe that the claims are allowable as written.

I. Rejection of Claims 1-26 under 35 U.S.C. 102(b) and 35 U.S.C. 103(a).

Claims 1-3 and 11-13, 15-16 and 20-26 were rejected under 35 U.S.C. 102(b) as being anticipated by Larus, "Whole Program Paths", ACM Sigplan Notices, Vol. 34, No. 5, Atlanta, GA, May 1999, pp. 259-269 ("Larus"). Claims 4-9, 14 and 17-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Larus in view of U.S. Patent No. 6,247,020 issued to Minard ("Minard"). As further iterated in the aforementioned Examiner interview, applicants respectfully traverse these rejections.

Independent claim 1 of the present invention specifically recites the step for "generating a stream flow output that displays the occurrences of repetitively occurring data access sequences in the stream of data access references while ignoring non-repetitively occurring data access sequences." Independent claim 13 specifically recites "a stream flow detector that is configured to generate a stream flow output that displays the occurrences of repetitively occurring data access sequences in the stream of data access references while ignoring non-repetitively occurring data access sequences." Independent claim 20 recites "generating a stream flow output that displays the occurrences of repetitively occurring data access sequences in the stream of data access references while ignoring non-repetitively occurring data access sequences." At least

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these limitations of independent claims 1, 13 and 20 are not taught or otherwise suggest by the cited art.

In conjunction with Figure 5, Larus teaches that "a minimal hot subpath is the shortest prefix of a subpath with cost of C or more." (Larus, at 265). Larus further teaches "minimal hot subpaths are of interest, since longer hot subpaths are easily found by adding acyclic paths to a minimal subpath." (Larus, at 265). In relation to Figure 5, Larus gives an example as follows:

Suppose that each acyclic path a, b, and c has a cost of 1 and that we are looking for hot subpaths of length greater than 1 and less than 4 whose cost is 6 or more. The WPP contains four overlapping hot subpaths: ab, bc, bb, and ca. The algorithm in this paper identifies two hot subpaths (ab and bc). The other two can be found by extending these two.

(Larus, at 264). With reference to Figure 5, Larus is teaching that the string **abbcabbcabbc** includes four overlapping hot subpaths with a length greater than 1 and less than 4 whose cost is 6 or more (**ab, bc, bb, and ca**). Larus then states "this paper identifies two hot subpaths (ab and bc)." and that "[t]he other two can be found by extending these two." (Larus, at 264). Here, applicants assert that Larus is merely giving a succinct example and acknowledging that there is no need to reiterate the example for every possible hot subpath. There is no teaching whatsoever of "ignoring non-repetitively occurring data access sequences." Accordingly, claims 1, 13 and 20 are not anticipated by Larus.

Claims 2-3, 11-12, 15-16 and 21-26 are not taught or otherwise suggested by Larus. Moreover, claims 2-3, 11-12, 15-16 and 21-26 ultimately depend from independent claims 1, 13 and 20, respectively. Claims 1, 13 and 20 are allowable as previously stated and as such,

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applicants assert that claims 2-3, 11-12, 15-16 and 21-26 are also allowable for at least those same reasons.

Regarding claims 4-9, 14 and 17-19, applicants assert that the references cannot be combined in the manner suggested. Furthermore, even if for argument sake such a combination were possible, the combination would still fail to teach many of the limitations of the claims. Also, the 35 U.S.C. 103(a) rejection depends from the above stated 35 U.S.C. 102(b) rejection. Insofar as the applicants have traversed the 35 U.S.C. 102(b) rejection, the 35 U.S.C. 103(a) rejection should be withdrawn.

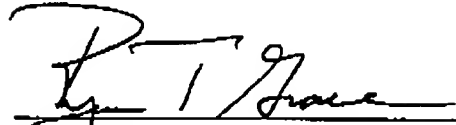
In view of the foregoing, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, further reconsideration and a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicants at the telephone number provided below.

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